

**BELLSOUTH**

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January 14, 1997

EX PARTE OR LATE FILED

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, NW, Room 222  
Washington, DC 20554

RECEIVED

JAN 14 1997

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

RE: Implementation of the Telecommunications Act of 1996:  
Telecommunications Carriers' use of Customers Proprietary  
Network Information and Other Customer Information  
CC Docket 96-115 Ex Parte

Dear Mr. Caton:

This is to inform you that on January 14, 1996, Krista S. Tillman, A. Kirven Gilbert, III and Ben Almond, all of BellSouth Corporation met in two separate meetings with A. Richard Metzger, Jr., William A. Kehoe, III and Paul Gallant in the first meeting and with William A. Kehoe III, Gayle Radley Teicher and Dorothy Attwood in the second meeting; all of the Common Carrier Bureau concerning the above referenced proceeding. The attached document was used for discussion purposes in both meetings.

Please associate this notification and the accompanying document with the referenced docket proceeding.

If there are any questions concerning this material, please contact the undersigned.

Sincerely,



Ben G. Almond  
Executive Director-Federal Regulatory

Attachment

cc: A. Richard Metzger, Jr.  
William A. Kehoe, III  
Paul Gallant  
Gayle Radley Teicher  
Dorothy Attwood

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# ***BELLSOUTH***

**Ex Parte Presentation  
CC Docket No. 96-115**

**Telecommunications Carriers' Use of  
Customer Proprietary Network  
Information (CPNI)**

**January 14, 1997**

# Summary

- Separate Computer III rules no longer required -- they are supplanted by Section 222 of the Act and should be eliminated.
- Commission should confirm that nondiscrimination rules do not override customer's right to control use of CPNI.
- "Single" notice for a carrier and its affiliates is consistent with the Act.

# CPNI Restrictions of CI-III No Longer Required

- No longer any need for “multiple” sets of CPNI rules --- need one set of rules that apply evenly to all carriers.
- Computer III CPNI objectives are met via the provisions of the 1996 Act.
- Commission should take this opportunity to reconcile its rules with the Act’s clear mandate that all carriers be treated equally.

# **Rules Adopted Should Permit “Access” and “Use” of CPNI**

- CI-III rules restricting access to CPNI databases should be eliminated.
- Even if customer restricts “use” of CPNI across service baskets, rules should permit “access” and “use” of CPNI to market all services within a single basket.
- With customer consent, “use” of CPNI to market across service baskets, is consistent with the provisions of the Act.

# **Nondiscrimination and Privacy Requirements**

- Commission should confirm that nondiscrimination requirements do not override a customers' right to control how their individual CPNI may be used.
- Commission should confirm that there is no requirement for any carrier to share a customer's CPNI with nonaffiliated entities absent a customer's written consent.

# **“Single” Notice**

- Rules adopted should allow carriers to provide a “single” notice for all affiliates
- A single notice is
  - flexible
  - least burdensome to customers and carriers
  - satisfies requirements of Section 222